



# MEMO ENDORSED

MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007

JAMES MIRRO  
Special Assistant Corporation Counsel  
phone (212) 788-8026 fax (212) 788-9776

January 30, 2006

**BY FAX**

The Honorable James C. Francis IV  
United States Magistrate Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street - Room 1960  
New York, New York 10007-1312

*Docket  
IN EACH  
CASE*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/31/06

Re: Coburn, et al. v. The City of New York, et al. (USDC SDNY 05 CV 7623 (KMK) (JCF))  
Sloan, et al. v. The City of New York, et al. (USDC SDNY 05 CV 7668 (KMK) (JCF))  
Sikelianos v. The City of New York, et al. (USDC SDNY 05 CV 7673 (KMK) (JCF))

Dear Judge Francis:

I write to request an enlargement of Defendants' time to answer in these actions. Defendants' answers are due today. As the Court is aware, plaintiffs in the Coburn and Sloan actions have not yet returned to Defendants all of the necessary releases for Defendants to collect the records sealed pursuant to NYCPL § 160.50. In addition, plaintiffs' counsel recently requested my assent to the filing of a Second Amended Complaint in the Coburn action, which contemplates the addition of both plaintiffs and defendants. Because some of the claims have been extinguished by operation of the applicable statutes of limitations, the parties require additional time to reach agreement on an acceptable form of the Second Amended Complaint. Once agreement is reached, plaintiffs will have to serve the new defendants with process and provide to Defendants § 160.50 releases for the new plaintiffs. Plaintiffs' counsel, Jeffrey A. Rothman, has consented to a two-week extension on the answer date in Coburn and a one-week extension on the answer dates for Sloan and Sikelianos. Defendants seek an additional 30 days in which to answer in Sikelianos (making that answer due on March 1, 2006) and answer dates in Coburn and Sloan that permit Defendants 30 days from the dates on which plaintiffs have provided to Defendants all of the necessary § 160.50 releases with respect to each of these cases. Defendants previously have sought and been granted an extension on each of these deadlines. If this meets with your approval, would you please "so order" it? Thank you.

Very truly yours,

*James Mirro*  
James Mirro

cc: Jeffrey A. Rothman (by fax)

*1/31/06*  
*Application granted.*  
*SO ORDERED*  
*James C. Francis IV*  
*JCF*